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UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/699,212 Confirmation No.: 2780
Applicant : David R. Hennings
Filing Date : October 30, 2003
Title : Endovenous Closure of Varicose Veins with Mid-Infrared Laser
Group Art Unit : 3735
Examiner : David M. Shay
Docket No. : 15487.4002
Customer No. : 34313

MAIL STOP Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

05/18/2009 CCHAUI 00000040 150665 10659212
01 FC:2401 270.00 DA

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the Final Official Action mailed March 13, 2009, finally rejecting claims 1-17, 19-23 and 25-46.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 540.00

The fee for the request for an oral hearing \$ 1080.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore,
the fee shown above is reduced by half, and the resulting fee is: \$ 810.00.

☐ A check in the amount of the fee is enclosed.

☒ The Commissioner has already been authorized to charge fees in this application to Deposit
Account No. 150665. (Duplicate copy enclosed.)

☒ The Commissioner is hereby authorized to charge any deficiency in fees or credit any
overpayment, as may be required, to Deposit Account No. 15-0665.

☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

05/18/2009 CCHAUI 00000039 150665 10659212

CERTIFICATE OF MAILING
37 CFR §1.8

01 FC:1401 540.00 DA
I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to the Commissioner for Patents, Mail Stop Appeal Brief-Patents P.O. Box 1450, Alexandria, VA 22313-1450

Dated: 5/13/2009

OHS West:260659701.1

Karen Johnson

Karen Johnson

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01 FC:1401 540.00 DA

Applicant : David R. Hennings
Appl. No. : 10/699,212
Examiner : David M. Shay
Docket No. : 15487.4002

I am the:

- ☐ Applicant.
- ☐ Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.
- ☒ Attorney or agent of record.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: May 12, 2009

By: 
James W. Geriak, Reg. No. 20,233

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710
Customer Number: 34313



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